

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., et al.,)	CASE NO. 2:10-cv-106-LRH-PAL
)	
Plaintiff(s),)	MINUTES OF COURT
)	
vs.)	DATE: Tuesday, October 6, 2015
)	
RIMINI STREET, INC., et al.,)	
)	
Defendant(s).)	
_____)	

PRESENT: THE HONORABLE LARRY R. HICKS, U.S. DISTRICT JUDGE

Deputy Clerk: Dionna Negrete Reporter: Donna Davidson
Counsel for Plaintiff: William Isaacson, Esq., Karen L. Dunn, Esq., Kieran P. Ringgenberg, Esq., Thomas S. Hixson, Esq., James C. Maroulis, Esq., Richard J. Pocker, Esq., Nitin Jadal, Esq., John Polito, Esq., Dorian Daley, Esq..
Counsel for Defendant: B. Trent Webb, Esq., West Allen, Esq., Robert H. Reckers, Esq., Peter E. Strand, Esq., Ryan D. Dykal, Annie Y.S. Chuang, Michael Gray, Blaine H. Evanson

MINUTES OF JURY TRIAL DAY 17

8:11 a.m. Court convenes outside the presence of the jury. Counsel and parties are present. The Court states for the record that the plaintiffs have withdrawn their claims under the Federal Computer Fraud and Abuse Act, and the jury instructions and verdict form have been amended accordingly. The Court places further findings on the record.

The Court revisits defendant's exhibits under submission that are still pending as follow:

DTX152, DTX153, DTX154B, DTX164A, DTX274, DTX292, DTX340, and DTX345. The Court places findings on the record and confers with counsel on how they would like to proceed regarding these outstanding exhibits. Mr. Webb requests some time to confer with his team and plaintiff's counsel to come to a proposed resolution.

8:31 a.m. Court stands at recess.

8:50 a.m. Court reconvenes outside the presence of the jury. The Court provides counsel with copies of the proposed verdict form. Mr. Webb represents that defendants will submit redacted versions of the aforementioned exhibits.

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Counsel has a dispute to two slides to be used in closing arguments. Counsel presents their respective arguments.

IT IS ORDERED that the Hampton and “But for” lies slide may be used in closing arguments. The Court instructs counsel accordingly.

IT IS ORDERED that the Contracts “Clear”? slide may be used in closing arguments. The Court instructs counsel accordingly.

Mr. Reckers notes his continuing objection regarding TomorrowNow slides. It is so noted for the record.

Mr. Webb asks for guidance regarding timing of closing arguments. Mr. Isaacson responds. The Court and counsel confer.

9:04 a.m. The jury enters the courtroom. Counsel and the parties are present. The Court instructs the jury on the order of deliberations and the law.

10:43 a.m. The jury is admonished and excused. Court stands at recess.

11:02 a.m. Court reconvenes outside the presence of the jury. Counsel and parties are present.

Defendants object to Mr. Isaacson using the verdict form at Question 6C during closing arguments. Counsel presents their respective arguments. IT IS ORDERED that reasonable argument may be made as it pertains to Question 6C of the verdict form. The Court places his findings on the record.

11:11 a.m. The jury enters the courtroom. Counsel and parties are present.

Closing arguments are presented by Ms. Dunn on behalf of the plaintiffs.

12:10 a.m. The jury is admonished and excused. Court stands at recess.

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12:20 p.m. Court reconvenes. The jury, counsel, and parties are present. Mr. Isaacson presents further closing arguments on behalf of plaintiffs.

1:20 p.m. The jury is admonished and excused. Court stands at recess.

1:41 p.m. Court reconvenes. The jury, counsel, and parties are present.

Closing arguments are presented by Mr. Webb on behalf of the defendants.

3:42 p.m. The jury is admonished and excused. Court stands at recess.

3:57 p.m. Court reconvenes outside the presence of the jury. Counsel and parties are present. The Court explains minor adjustments/edits to the final verdict form just given to counsel.

4:01 p.m. The jury enters the courtroom.

Mr. Isaacson presents rebuttal closing arguments on behalf of the plaintiffs.

Court Security Officer Nicholas Lombardo is sworn to take charge of the jury.

4:28 p.m. The jury provides the Court with a note indicating the time schedule they prefer for deliberation. The jury is admonished and excused for the evening and shall return tomorrow at 8:00 a.m. to deliberate.

IT IS ORDERED that trial is continued to Wednesday, October 7, 2015, at 8:00 a.m. in Las Vegas Courtroom 4B before Judge Larry R. Hicks.

Court remains in session outside the presence of the jury. Counsel and parties are present. The Court indicates he has received the redacted defendant's pending exhibits. Mr. Hixson informs the Court he has not had an opportunity to review the redacted versions and would like until tomorrow morning before the jury returns to deliberate to do so. The Court grants the request.

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IT IS FURTHER ORDERED that counsel shall be present at 7:30 a.m. to discuss the remaining pending defendant's exhibits aforementioned.

4:34 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: /s/ D. Negrete
Deputy Clerk